

BILL ANALYSIS

S.B. 436
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports indicate that drug overdoses are a leading cause of maternal deaths in Texas. S.B. 436 seeks to help reduce the incidence of such deaths by requiring the Department of State Health Services to develop and implement certain initiatives to improve maternal and newborn health for women with opioid use disorder.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 436 amends the Health and Safety Code to require the Department of State Health Services (DSHS), in collaboration with the Maternal Mortality and Morbidity Task Force, to develop and implement initiatives to:

- improve screening procedures to better identify and care for women with opioid use disorder;
- improve continuity of care for women with the disorder by ensuring that health care providers refer the women to appropriate treatment and verify the women receive the treatment;
- optimize health care provided to pregnant women with the disorder;
- optimize health care provided to newborns with neonatal abstinence syndrome by encouraging maternal engagement;
- increase access to medication-assisted treatment for women with the disorder during pregnancy and the postpartum period; and
- prevent the disorder by reducing the number of opioid drugs prescribed before, during, and following a delivery.

S.B. 436 authorizes DSHS, before implementing the initiatives, to conduct a limited pilot program in one or more geographic areas of Texas, concluding not later than March 1, 2020, to implement these initiatives at licensed hospitals with expertise in caring for newborns with neonatal abstinence syndrome or related conditions. These provisions expire September 1, 2021.

S.B. 436 requires DSHS, using existing resources and in collaboration with the Maternal

Mortality and Morbidity Task Force, to promote and facilitate the use among health care providers in Texas of maternal health informational materials, including tools and procedures related to best practices in maternal health to improve obstetrical care for women with opioid use disorder. The bill requires DSHS, not later than December 1, 2020, to prepare and submit to the presiding officers of the standing committees of each house of the legislature with primary jurisdiction over public health a written report that evaluates the success of the initiatives developed and implemented under the bill's provisions and, if applicable, the pilot program conducted under the bill's provisions. The bill authorizes submission of the report with the report regarding the maternal health and safety initiative that DSHS submits to the executive commissioner of the Health and Human Services Commission not later than December 1 of each even-numbered year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.